# GROUNDFISH ADVISORY SUBPANEL REPORT ON WORKLOAD AND NEW MANAGEMENT MEASURES PRIORITIES

The Groundfish Advisory Subpanel (GAP) has focused our comments on items we would like prioritized and/or added to the workload and new management measures list. We have provided a table with our summarized recommendations at the end of this report.

## Highest Priorities

The following are the GAP's highest priorities. To the degree that these items could assist in the current ongoing fishing crises (i.e. shortspine, canary, quillback), we recommend the Council prioritize these on calendar as soon as possible. As a Council family, we urgently need to explore creative pathways toward flexibility with an open mind.

*Mid-Biennium Harvest Specifications Change/Phase In-ABC Control Rule/Green Light*

The GAP recommends the Council prioritize an item that would allow for a mid-biennium harvest specifications change. Currently, the Pacific Coast Groundfish Fishery Management Plan (FMP) permits a mid-biennium harvest specification change only if an error is found (Section 5.5.1):

> "Beyond this process, OFLs, ABCs, ACLs, OYs, ACTs, HGs, and quotas may only be modified in cases where a harvest specification announced at the beginning of the biennial fishing period is found to have resulted from incorrect data or from computational errors."

A mid-biennium change could come in the form of an emerging issue that was not addressed in the biennial specifications (such as shortspine and canary) or a situation when the stock assessment during a biennium comes back more positive than the current assessment used for management ("green light").

National Standard (NS) 1 permits "Phase-In ABC control rules" as defined below:

> "Large changes in catch limits due to new scientific information about the status of the stock can have negative short-term effects on a fishing industry. To help stabilize catch levels as stock assessments are updated, a Council may choose to develop a control rule that phases in changes to ABC over a period of time, not to exceed 3 years, as long as overfishing is prevented each year (*i.e.,* the phased-in catch level cannot exceed the OFL in any year). In addition, the Councils should evaluate the appropriateness of phase-in provisions for stocks that are overfished and/or rebuilding, as the overriding goal for such stocks is to rebuild them in as short a time as possible."

This idea was previously considered by the Council in June 2019 however it was never implemented. In the future, the allowance of the phase-in should be considered for future bienniums if new assessments come back in poor condition. As an example, instead of implementing the shortspine thornyhead, canary rockfish, or California quillback rockfish

specifications for 2025-2026 as was done, the Council could have considered a phase down approach that would have mitigated the impacts to industry and potentially allowed a new stock assessment to be completed.

A phase-in approach was used by the Oregon Department of Fish and Wildlife (ODFW) in recommending the harvest specifications for Oregon black rockfish in 2023-2024. Specifically, due to the potential for significant economic consequences, ODFW recommended maintaining the 2020 acceptable biological catch (ABC) (512 mt) rather than the default ABC (477 mt). In the following biennium, the stock was managed by the default harvest control rule. While developing this policy for all species in the FMP, the near-term effort should be focused on canary and shortspine thornyhead in implementing phase down harvest specifications to limit the ongoing economic impacts felt by all sectors.

Regarding the "green light" scenario, if a new stock assessment came in and showed an improved outlook for a particular stock, new harvest specifications could be implemented in the current biennium instead of waiting for the subsequent biennium, therefore providing more opportunity to the seafood industry sooner. The Council previously worked on this policy in 2016 and 2017, but in November 2017 elected to halt further consideration of this policy in favor of other high priority tasks. The GAP recommends that if the Council prioritizes this action, that previous work be looked at to help expedite this action where possible.

*Harvest Specifications Framework*

The Council's harvest specification framework includes two key pieces: sigma, which is a characterization of scientific uncertainty, and P*, which is the risk of overfishing. The Scientific and Statistical Committee (SSC) is responsible for setting sigma, and since the 2021-2022 harvest specifications cycle has used a time-varying approach that increases sigma (scientific uncertainty) over time, depending on how long it's been since the most recent assessment. This method results in a "staleness penalty" in the form of greater deductions from the overfishing limit (OFL) to the ABC. In 2019, the Groundfish Management Team (GMT) demonstrated the effects of time-varying sigma on the ABC and resulting annual catch limits (ACL) in Agenda Item G.3.a, Supplemental GMT Report 1, March 2019, and we have included these tables below.

**Table 1. Deductions from the OFL to the ABC for P*=0.45 (maximum in the FMP) based on the old sigma approach and the new sigma approach with a higher base (year - 1) deduction that progressively increases each year for staleness.**

| P*=0.45 | Category I | | Category II | | Category III | |
|---|---|---|---|---|---|---|
| Year | Old | New | Old | New | Old | New |
| 1 | 4.4% | 6.1% | 8.7% | 11.8% | 16.6% | 22.2% |
| 2 | 4.4% | 6.5% | 8.7% | 12.6% | 16.6% | 22.2% |
| 3 | 4.4% | 7.0% | 8.7% | 13.5% | 16.6% | 22.2% |
| 4 | 4.4% | 7.4% | 8.7% | 14.3% | 16.6% | 22.2% |
| 5 | 4.4% | 7.8% | 8.7% | 15.1% | 16.6% | 22.2% |
| 6 | 4.4% | 8.3% | 8.7% | 15.9% | 16.6% | 22.2% |
| 7 | 4.4% | 8.7% | 8.7% | 16.7% | 16.6% | 22.2% |
| 8 | 4.4% | 9.1% | 8.7% | 17.4% | 16.6% | 22.2% |
| 9 | 4.4% | 9.6% | 8.7% | 18.2% | 16.6% | 22.2% |
| 10 | 4.4% | 10.0% | 8.7% | 19.0% | 16.6% | 22.2% |

**Table 2. Deductions from the OFL to the ABC for P*=0.40 based on the old sigma approach and the new sigma approach with a higher base (year - 1) deduction that progressively increases each year for staleness.**

| P*=0.4 | Category I | | Category II | | Category III | |
|---|---|---|---|---|---|---|
| Year | Old | New | Old | New | Old | New |
| 1 | 8.7% | 11.9% | 16.7% | 22.4% | 30.6% | 39.8% |
| 2 | 8.7% | 12.7% | 16.7% | 23.8% | 30.6% | 39.8% |
| 3 | 8.7% | 13.6% | 16.7% | 25.3% | 30.6% | 39.8% |
| 4 | 8.7% | 14.4% | 16.7% | 26.7% | 30.6% | 39.8% |
| 5 | 8.7% | 15.2% | 16.7% | 28.1% | 30.6% | 39.8% |
| 6 | 8.7% | 16.0% | 16.7% | 29.4% | 30.6% | 39.8% |
| 7 | 8.7% | 16.8% | 16.7% | 30.7% | 30.6% | 39.8% |
| 8 | 8.7% | 17.6% | 16.7% | 32.0% | 30.6% | 39.8% |
| 9 | 8.7% | 18.3% | 16.7% | 33.3% | 30.6% | 39.8% |
| 10 | 8.7% | 19.1% | 16.7% | 34.6% | 30.6% | 39.8% |

As demonstrated by these tables, the move to time-varying sigma has had significant impacts on our fisheries, accounting for far greater levels of uncertainty at the cost to harvest specifications, at a time when there is less funding for surveys and stock assessments. **The GAP recommends the Council task the SSC with reviewing the time-varying sigma approach, accompanied by a comparison of what the harvest specifications would have been with and without using this approach in recent years. The GAP also requests a review of how sigma is set by SSCs in other Councils.**

With respect to the P* (risk of overfishing), the Groundfish FMP states:

> "Since estimated OFLs are median estimates, there is a 50% probability that the OFL is overestimated. Therefore, a P* of 0.5 equates to no scientific uncertainty or, in other words, the ABC is set equal to the OFL."

The P* must be below 0.5, but the Groundfish FMP currently sets an upper limit P* value of 0.45. However, the GAP is unclear why the upper level of P* for groundfish (0.45) was set lower than the allowed maximum. The GAP recommends the Council amend the Groundfish FMP to revise the upper limit P* value to 0.4999, in order to provide the Council with more flexibility in the management process where uncertainty is already accounted for.

*Big "C" Carryover*

NS 1 provides the following language regarding the carryover of un-attained available harvest from one year to the next. (50 CFR 600.310(f)(2)(ii))

> "The ABC control rule must articulate how ABC will be set compared to the OFL based on the scientific knowledge about the stock or stock complex and taking into account scientific uncertainty (see paragraph (f)(1)(vi) of this section). The ABC control rule should consider reducing fishing mortality as stock size declines below Bmsy and as scientific uncertainty increases, and may establish a stock abundance level below which fishing would not be allowed. When scientific uncertainty cannot be directly calculated, such as when proxies are used, then a proxy for the uncertainty should be established based on the best scientific information, including comparison to other stocks. The control rule may be used in a tiered approach to address different levels of scientific uncertainty. **Councils can develop ABC control rules that allow for changes in catch limits to be phased-in over time or to account for the carryover of some of the unused portion of the ACL from one year to the next**. The Council must articulate within its FMP when the phase-in and/or carry-over provisions of the control rule can and cannot be used and how each provision prevents overfishing, based on a comprehensive analysis."

GAP members would like to prioritize and explore a method at the groundfish fishery level to add the uncaught allocation amount from the prior year as carryover that would be available for catch in the current year. The biennial harvest specifications process already assumes one hundred percent mortality of each Annual Catch Limit (ACL) in a given year, however most stocks are well below the ACL in terms of mortality. The Council previously considered this item in 2017 and the GMT outlined two approaches in September 2017:

> Approach 1: ACL unharvested from Year 1 would be issued in Year 2 (up to the ABC where the ACL < ABC)
>
> Approach 2 would take into consideration ACL and ABC unharvested in Year 1 and recalculate a new OFL, ABC and ACL for Year 2 (where ACL = ABC).

An example of an approach 1 species would be yelloweye rockfish and an approach 2 species petrale sole. Approach 2 could also be used for stocks such as canary and shortspine thornyhead where the ACL was under harvested. In short, the GAP believes Approach 2 would likely require a catch-only projection for that year to inform the SSC in recommending the OFL and ABC. While

the Council did not complete work on big "C" carryover in 2017, some key questions were outlined by NMFS in November 2017 on the issue:

> "Questions that remain to be decided include whether any stock could be considered for carryover or only those with stock assessments completed within a certain timeframe, and whether this provision would be available for rebuilding stocks, what the process by which new OFLs, ABCs, and/or ACLs are determined would be and the role of the SSC in so doing. An additional question would be whether the carryover would be sector-specific or if it would apply across all sectors, especially if it was a particular sector that did not harvest their full allocation."

The GAP recommends the Council utilize this past work in considering adding this ability to the groundfish FMP. While there are complexities associated with this item, we believe there could be significant benefits to the groundfish fisheries overall.

*Multi-Year Average Catch Policy*

The GAP also recommends exploring a multi-year ACL, as in a rolling combined 2-year ACL, or other mechanism to achieve similar flexibility. Specifically, the NS1 guidelines stipulate,

> "A 'multiyear plan' as referenced in section 303(a)(15) of the Magnuson-Stevens Act is a plan that establishes harvest specifications or harvest guidelines for each year of a time period greater than 1 year. A multiyear plan must include a mechanism for specifying ACLs for each year with appropriate accountability measures (AMs) to prevent overfishing and maintain an appropriate rate of rebuilding if the stock or stock complex is in a rebuilding plan. A multiyear plan must provide that, if an ACL is exceeded for a year, then AMs are implemented for the next year consistent with paragraph (g)(3) of this section."

The Council has previously considered this in June 2017 and the GAP suggests this past work be used in any future consideration of the policy.

*Trawl Gear EFP to Regulation*

The trawl gear exempted fishing permit (EFP) is currently included as Items B2 and B4 in Table B of GMT Report 2 (Agenda Item H.8.a, March 2025), and the GAP would like these items to be combined and implemented into regulation as a high priority. This EFP has been operating since 2017, with ample information collected to move to regulation.

**Other Recommendations**

*Canary Allocation Review*

Although GAP members know this has the potential to be a contentious issue, we find it important for the Council to provide space - other than during the two-year biennial harvest specifications and management measure process - to spend time on working through this allocation. The GAP is hoping some of the items we've prioritized higher (i.e. Mid-Biennium Harvest Specifications Change/Phase-In ABC Control Rule/Green Light, Harvest Specifications Framework) could help

alleviate some of the pressure that is experienced by all fisheries when access to a species is limited - for canary and other species.

*Trawl Cost Recovery*

As described most recently under the NMFS Report (Agenda Item H.1.c, Supplemental GAP Report 1, March 2025), the GAP has significant concerns about the implementation of the cost recovery program for the trawl catch share program, and recommends the Council consider modifications to the existing cost recovery regulations, through a small working group and/or directly as a Council agenda item. Some ideas we've considered so far include, but are not limited to: considering a different formula to reflect more current fishery value (so we don't have the big swings, like in the mothership sector fee), and revisiting the original methodology that was proposed by the Council in 2010-2011 and subsequently adopted by NMFS. This methodology review could be done in whole, or begin with a smaller segment such as the at-sea sectors.

*Season Start Date for the Primary Tier Fishery*

During discussions on the limited entry fixed gear (LEFG) follow on actions, members of the GAP discussed the potential extension of the tier fishery season to year-round (as opposed to starting on April 1). The GAP recommends this item be included on the workload list. The change in start date would provide the most opportunity for participants to fish, as well as allowing fishing at the time of year when there is the lowest likelihood of co-occurrence between fixed gear and whales.

**Other Comments**

While it probably would fit best under the Council's Research and Data Needs agenda, the GAP would also like to make the Council aware of a pilot program under development in Oregon where participating anglers plan to voluntarily record information such as date, time fished, location (longitude and latitude), boat numbers, ocean conditions, water temperature, observations, and fish measurements for released fish. The GAP suggests that at a later date the Council could review the results from that pilot program, and if the outcomes provide useful data and information, it could be expanded.

For data to help support or inform stock assessments, the GAP notes that developments in environmental DNA, or eDNA, could be important to look at in the future, especially considering uncertain funding for surveys and stock assessments.

The GAP noted it would be helpful to include a column to indicate the origin of workload and new management measure proposals (i.e., regulatory requirement vs. industry request), and track how many of each are completed each cycle.

PFMC
03/08/2025

**Table A. Groundfish Management Measures Prioritized by the Council**

| Item # | Sector | Title | Purpose | Status/GAP Recommendation |
|---|---|---|---|---|
| A1 | All | Stock Definitions-Phase 2 (including stock complexes, deferral/removal) | Current step: Identify and define groundfish stocks in need of conservation and management | **Lower Priority** (ROA/PPA occurred at this March 2025 meeting; FPA is a candidate item for June 2025) |
| A2 | All | Cordell Bank Fishery Regulation Changes | Reduce regulatory complexity | **Complete** (FPA occurred at this March 2025 meeting) |
| A3 | LEFG | LEFG Follow On Actions | | |
| a | Primary Tier Fishery | Cost recovery | Increase gear flexibility for LEFG permits, develop a cost recovery for the primary tier fishery, and other administrative changes | **Keep FPA for June 2025** (PPA occurred at this March 2025 meeting; FPA is scheduled for June 2025) |
| b | | Removal of base permit designation | | |
| c | | Removal of start/stop time from regulation | | |
| d | LEFG | Permit price reporting | | |
| e | | Change LEFG gear endorsements to increase flexibility | | |

**Table B. All Other Potential Groundfish Management Measure Items** (not in priority order, nor scheduled on YAG)

| Item # | Sector | Title | Purpose | Status/GAP Recommendation |
|---|---|---|---|---|
| B1 | Incidental Open Access | Clarify Catch Accounting Rules for Amendment 21 | Address catch accounting issue regarding sablefish north in IOA sector | **Remove** (Agree with GMT) |
| B2 | IFQ | Removal of Selective Flatfish Trawl (SFFT) requirement between 40° 10′ and 42° N. lat. | Implement EFP exemption into regulation | **Combine with B4 and Prioritize for Regulation** |
| B3 | IFQ, NonTrawl | New Dressed to Round Conversion Factors for Sablefish | Remove or modify Federal regulation specifying the sablefish conversion factor | **No Comment** |
| B4 | IFQ | Remove Certain Time and Area-Management Restrictions for Midwater Trawl Gear Targeting Nonwhiting | Implement EFP exemption into regulation | **Combine with B2 and Prioritize for Regulation** |
| B5 | IFQ | Carryover when Management Units Change | Develop policy for carryover when IFQ management units change (i.e., combination of areas or change in area definition) | **Remove** (This item can be handled one-off by NMFS whenever IFQ management units change) |
| B6 | IFQ | Increasing IFQ Carryover from 10 Percent (Little "c" carryover) | Increase the amount of IFQ carryover to greater than 10 percent | **Keep On List** (While there are other ideas for big "C" carryover that would help all sectors, any changes there would still likely need to be addressed for little "c" carryover in the IFQ sector, so the GAP wants to keep this on the list) |

| Item # | Sector | Title | Purpose | Status/GAP Recommendation |
|---|---|---|---|---|
| B7 | IFQ | Aggregate Non-whiting QS Control Limits and Individual Species Weighting | Consider changes to the overall non-whiting QS control limit and weighting calculation | **Keep On List** |
| B8 | Recreational | Permitting Commercial Sale of Recreational Fish Waste | Removal federal regulations to allow sale of recreationally-caught fish waste to reduce costs and recover value | **Keep On List** |
| B9 | Salmon troll | Salmon VMS Ping Rate | Consider an exemption to the salmon troll VMS ping rate requirement when retaining groundfish to reduce costs and monitoring | **Keep On List** |
| B10 | Commercial | Prohibition of directed shortbelly rockfish fishery | Reduce impacts to California current forage species | **Remove** (Shortbelly is designated as an ecosystem component species with oversight by the Council, and inseason reports show shortbelly catch for full transparency by sector. EC species limit has not been reached.) |
| B11 | Salmon troll/ Incidental Open Access | Lingcod trip limit adjustments north of 40° 10' N lat. | Increase the lingcod allowance in the salmon troll fishery (currently 1:2 limited to 10 per trip) | **Keep On List** |
| B12 | Non-trawl | Remove the non-trawl RCA | Increase access to fishing grounds to nontrawl sector | **Keep On List** |
| B13 | Recreational | Use of natural bait in Oregon recreational longleader fishery | Change regulations to allow recreational anglers to select fishing methods | **Keep On List** |

**Table C. GMT's Potential Groundfish Management Measure Items to be Added** (not in priority order)

| Item # | Sector | Title | Purpose | Status/GAP Recommendation |
|---|---|---|---|---|
| C1 | All non-tribal commercial groundfish sectors | Rockfish Species Sorting (processor level) | Revise Federal sorting requirements for better catch accounting and improved landings monitoring | **Add to List** (noting this is at the processor level) |
| C2 | Commercial non-trawl | Stock Complex species specific trip limits | Improve flexibility of trip limits to attain OY | **Add to List** |
| C3 | Recreational | Discard mortality rates for sablefish | Improve catch accounting of discarded species | **Do Not Add to List** (Not needed) |
| C4 | LEFG, Open Access, IFQ | Bottom longline discard mortality rates | Improve catch accounting of discarded species | **Add to List** |

**Table D. GAP's Potential Groundfish Management Measure Items to be Added**

| Item # | Sector | Title | Purpose | Status/GAP Recommendation |
|---|---|---|---|---|
| D1 | All | Mid-Biennium Harvest Specifications Change/Phase In-ABC Control Rule/Green Light | Allow change to harvest specifications during the biennium, including through a "green light" mechanism; allow phase-in of control rules | **Add to List and Prioritize** (see above for rationale) |
| D2 | All | Harvest Specifications Framework | Change P* maximum to 0.4999 and examine time-varying sigma | **Add to List and Prioritize** (see above for rationale) |
| D3 | All | Big "C" Carryover | Adjust harvest specifications through carrying over unharvested fish from prior year | **Add to List and Prioritize** (see above for rationale) |
| D4 | All | Multi-Year Average Catch Policy | Develop multi-year average catch policy for setting harvest specifications | **Add to List and Prioritize** (see above for rationale) |
| D5 | All | Canary Allocation Review | Examine canary rockfish allocations on separate timeline than normal specifications process | **Add to List** (see above for rationale) |
| D6 | Trawl | Trawl Cost Recovery | Modify trawl cost recovery program | **Add to List** (see above for rationale) |
| D7 | Fixed Gear | Season Start Date for the Primary Tier Fishery | Increase fishing opportunity while minimizing co-occurrence with whales | **Add to List** (see above for rationale) |